

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

- v. - :

INIGO AUGUST PHILBRICK, :

Defendant. :

- - - - - X

INDICTMENT

20 Cr.

20 CRIM 351

COUNT ONE

(Wire Fraud)

The Grand Jury charges:

1. From in or about 2016 up to and including in or about November 2019, in the Southern District of New York and elsewhere, INIGO AUGUST PHILBRICK, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, for the purpose of financing PHILBRICK's art dealing business, PHILBRICK, through interstate email communications and other means, provided false information and false documents and made

material omissions regarding the sale, ownership and provenance of artworks, and thereby obtained funds by means of interstate and foreign wire transfer from collectors, investors, and financial lenders.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT TWO

(Aggravated Identity Theft)

The Grand Jury further charges:

2. From in or about 2016 up to and including in or about 2019, in the Southern District of New York and elsewhere, INIGO AUGUST PHILBRICK, the defendant, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, in connection with the wire fraud offense alleged in Count One of this Indictment, PHILBRICK used and aided and abetted the use of the name and signature of (i) an officer of a Pennsylvania-based company to create a false and fraudulent art sale contract and (ii) an employee of an auction house to create a false and fraudulent consignment agreement.

(Title 18, United States Code, Sections 1028A(a)(1),
1028A(c)(5), and 2.)

FORFEITURE ALLEGATION

3. As a result of committing the offense alleged in Count One of this Indictment, INIGO AUGUST PHILBRICK, the

defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Asset Provision

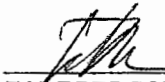
4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property

of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981, 982, 1029;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


AUDREY STRAUSS
Acting United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

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INDICTMENT

20 Cr.

(18 U.S.C. §§ 1028A, 1343, and 2.)

AUDREY STRAUSS
Acting United States Attorney


Foreperson
